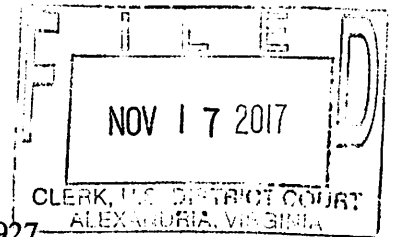


Prob 12 (10/09)  
VAE (rev. 5/17)

**UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF VIRGINIA**

U.S.A. vs. Layla R. BotwinikDocket No. 1:17PO927

**Petition on Probation**

COMES NOW Sherylle Gant, PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Layla R. Botwinik, who was placed on supervision by the Honorable Michael S. Nachmanoff, United States Magistrate Judge, sitting in the Court at Alexandria, Virginia, on the 15<sup>th</sup> day of June, 2017, who fixed the period of supervision at 2 years, and imposed the general terms and conditions heretofore adopted by the Court and also imposed special conditions and terms as follows:

- 1) The defendant shall enter and successfully complete an alcohol education program as directed.
- 2) The defendant shall not operate a motor vehicle anywhere in the United States for a period of one (1) year except: a) to, from and as directly required by the defendant's employment, b) to and from the probation office, c) to and from the alcohol program, d) to and from this court, e) to and from school for herself and her kids, f) to and from the interlock facility, g) for transportation of her minor children (schedule to be approved in advance by probation).
- 3) The defendant may not operate any motor vehicle unless it is equipped with an alcohol-detecting ignition interlock system approved by the probation officer.
- 4) The defendant shall serve a period of five (5) days incarceration with the Bureau of Prisons, which may be served on weekends or other intermittent times as deemed appropriate by the probation office.
- 5) The defendant shall serve five (5) days in home confinement with monitoring at a level the probation officer deems appropriate and with timeouts as directed.
- 6) The defendant shall pay a \$250.00 fine, a \$10.00 special assessment and a \$30.00 processing fee within 90 days.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

See Attachment(s)

**PRAYING THAT THE COURT WILL ORDER** a summons to be issued directing that the offender appear before the Court to show cause why supervision should not be revoked.

**Returnable Date:** 12/12/17 @ 10:00 AM

**ORDER OF COURT**

Considered and ordered this 17<sup>th</sup> day of November, 20 17 and ordered filed and made a part of the records in the above case.

/s/   
Michael S. Nachmanoff  
United States Magistrate Judge

Michael S. Nachmanoff  
United States Magistrate Judge

**TO CLERK'S OFFICE**

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on:

Digitally signed by Randall E. Hyler  
Date: 2017.11.16 12:09:05 -05'00'

Sherylle Gant  
U.S. Probation Officer  
(703) 366-2131

Place: Manassas, Virginia

**Petition on Probation**

**Page 2**

**RE: Botwinik, Layla R.**

OFFENSE: Driving Under the Influence, in violation of 32 CFR 234.17(c)(1)(i)

SENTENCE: Two (2) years of supervised probation with special conditions as noted on page 1.

ADJUSTMENT TO SUPERVISION: Ms Botwinik has resided in Maryland since the onset of supervision and she is supervised by U.S. Probation Officer (USPO) Kendall Ridgley.

USPO Ridgley reported that Ms. Botwinik has maintained a stable residence with her parents and that she is employed with REI in Rockville, Maryland. An ignition interlock device was installed on Ms. Botwinik's vehicle on July 28, 2017. She completed her five days of incarceration with the Bureau of Prisons on August 19, 2017.

Ms. Botwinik's adjustment to supervision has been unsatisfactory due to alcohol use. USPO Ridgley referred her to an alcohol education program. However, as the result of her continued alcohol use, she related that Ms. Botwinik will be placed in a substance/alcohol abuse treatment program.

VIOLATIONS: The following violations are submitted for the Court's consideration.

**SPECIAL CONDITION #6: "THE DEFENDANT SHALL PAY THE FINE, SPECIAL ASSESSMENT AND PROCESSING FEE WITHIN 90 DAYS."**

As of November 15, 2017, Ms. Botwinik has failed to make any payments towards her fine, special assessment and processing fee.

**STANDARD CONDITION #8: "THE DEFENDANT SHALL REFRAIN FROM EXCESSIVE USE OF ALCOHOL AND SHALL NOT PURCHASE, POSSESS, USE, DISTRIBUTE, OR ADMINISTER ANY NARCOTIC OR OTHER CONTROLLED SUBSTANCE, OR ANY PARAPHERNALIA RELATED TO SUCH SUBSTANCES, EXCEPT AS PRESCRIBED BY A PHYSICIAN."**

On September 4, 2017, Ms. Botwinik attempted to drive her vehicle and submitted several ignition interlock readings that detected alcohol, which kept her vehicle from being able to be driven. She submitted several readings ranging from 0.042-0.181, and several were above the legal limit for driving. Ms. Botwinik admitted to USPO Ridgley that she had consumed alcohol to excess on September 4, 2017.

The Drager readings for September 4, 2017, are listed below:

1:26:17 p.m.	0.181%	5:16:21 p.m.	0.120%
1:31:59 p.m.	0.159%	5:23:52 p.m.	0.120%
1:39:09 p.m.	0.176%	5:30:09 p.m.	0.115%
2:45:42 p.m.	0.169%	5:39:29 p.m.	0.117%
3:33:04 p.m.	0.151%	5:45:08 p.m.	0.114%
3:39:00 p.m.	0.156%	6:44:38 p.m.	0.093%
3:49:20 p.m.	0.152%	6:50:17 p.m.	0.091%
4:36:48 p.m.	0.139%	8:27:07 p.m.	0.044%
4:49:07 p.m.	0.128%	8:32:52 p.m.	0.042%
5:05:14 p.m.	0.127%	10:54:33 p.m.	0.000%

SCG/lmg